

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8180 of 2020

Kalandu Dewar, Age-19 Years, S/o Shri Santu Dewar, R/o- Ward No.04, Idgabhata, P.S. & Tahsil- Mahasamund, Civil & Revenue Distt. Mahasamund (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through, P.S.- Mahasamund, Distt. Mahasamund (C.G.)

---- Non-applicant

For Applicant	:	Mr. Jameel Akhar Lohani, Advocate.
For Non-applicant	State :	Mr. Shubham Verma, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/02/2021

Heard.

1. The applicant is arrested in connection with Crime No.301/2020 registered in Police Station -Mahasamund, Distt. Mahasamund (C.G.) for alleged commission of offence under Sections 457 & 380 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant committed theft of utensils, household silver ornaments worth Rs.9,500/- and thereby committed the aforesaid offences.
3. Learned counsel for the applicant would submit that the applicant is a scrap purchaser and in respect of various thefts, which had taken place, from his godown, seizure of articles have been made and number of criminal cases have been registered against the applicant. Investigation is complete and charge sheet has been filed and the applicant is in detention since 28.06.2020, therefore, at this stage, he may be granted released on

regular bail.

4. On the other hand, learned counsel for the State would submit that the applicant is a habitual offender and against him, total six cases including this case for commission of offence under Sections 457 & 380 of the IPC have been registered. It is submitted that if the applicant is granted bail, he is likely to misuse liberty and again indulge in commission of aforesaid offences.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the submissions of learned counsel for the parties, value of the articles alleged to have been stolen and further taking into consideration the maximum sentence, which could be awarded for alleged commission of offences, I am inclined to release the applicant on bail.
7. The application is accordingly allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (iii) If the applicant is found involved in the similar offences in future and any criminal case is registered against him, bail granted to him shall be liable to be cancelled.

Sd/-
(Manindra Mohan Shrivastava)
Judge

D/-